

IN THE CLAIMS

Cancel claims 1-10 and 26-28, subject to Applicants right to refile this non-elected subject matter in a divisional application. Add new claims 30-35.

1. ~~(cancelled) A method of modifying one or more characteristics of a plant comprising introducing into the plant a combination of sequences, each sequence comprising a gene encoding an enzyme having starch synthase activity, or a sequence functionally equivalent thereto, or an effective part thereof, each sequence being operably linked to a promoter so as to affect the expression of corresponding endogenous genes in the plant.~~

2. ~~(cancelled) A method according to claim 1, wherein the combination of sequences is introduced into the plant substantially simultaneously.~~

3. ~~(cancelled) A method according to claim 2, wherein the combination of sequences is introduced into the plant on a single nucleic acid construct.~~

4. ~~(cancelled) A method according to claim 1, wherein a first sequence comprising a gene encoding an enzyme having starch synthase activity or a sequence functionally equivalent thereto, is introduced into a plurality of plants and one or more of the plurality of plants are selected for introduction of a second sequence comprising a second gene encoding an enzyme having starch synthase activity or a sequence functionally equivalent thereto.~~

5. ~~(cancelled) A method according to claim 1, effective in modifying one or more properties of starch produced by the plant.~~

6. ~~(cancelled) A method according to claim 1, wherein the introduced sequences are operably linked, directly or indirectly, in an antisense orientation to a promoter.~~

7. (cancelled) ~~A method according to claim 1, wherein the introduced sequences comprise a gene encoding potato starch synthase II (SSII) enzyme and a gene encoding potato starch synthase III (SSIII) enzyme or sequences functionally equivalent thereto.~~

8. (cancelled) ~~A plant modified by the method of any claim 1, or the progeny of or part of such a plant.~~

9. (cancelled) ~~A plant according to claim 8, wherein the plant is selected from potato, cassava, maize, wheat, barley, tomato, rice and pea.~~

10. (cancelled) ~~A method of preparing a food product comprising using a plant or part thereof according to claim 8.~~

11. Cancelled.

12. Cancelled.

13. Cancelled.

14. Cancelled.

15. Cancelled.

16. Cancelled.

17. Cancelled.

18. Cancelled.

19. Cancelled.

20. Cancelled.

21. Cancelled.

22. Cancelled.

23. Cancelled.

24. Cancelled.

25. (currently amended) A method of producing starch comprising ~~modifying a plant~~ modifying one or more characteristics of a plant comprising introducing into the plant a combination of sequences, each sequence comprising a gene encoding an enzyme having starch synthase activity, or a sequence functionally equivalent thereto, or an effective part thereof, each sequence being operably linked to a promoter so as to affect the expression of corresponding endogenous genes in the plant ~~according to the method of claim 1~~ and extracting starch from the plant.

26. (cancelled) ~~A nucleic acid construct comprising a combination of sequences, each sequence comprising a gene encoding an enzyme having starch synthase activity, or a functionally equivalent sequence thereof or an effective part thereof, each sequence being operably linked to a promoter.~~

27. (cancelled) ~~A nucleic acid construct according to claim 26, suitable for performing a method in accordance with claim 1.~~

28. (cancelled) ~~A plant comprising a construct according to claim 26, or the progeny of or part of such a plant.~~

29. (previously presented) A plant comprising starch which, when extracted from the plant, has a viscosity onset temperature as judged by viscoamylograph of a 10% w/w aqueous suspension at atmospheric pressure using a Newport Scientific Rapid Visco Analyser reduced by at least 12°C compared to starch extracted from equivalent, unmodified plants.

30. (new) The method according to claim 25, wherein the combination of sequences is introduced into the plant substantially simultaneously.

31. (new) A method according to claim 30, wherein the combination of sequences is introduced into the plant on a single nucleic acid construct.

32. (new) A method according to claim 25, wherein a first sequence comprising a gene encoding an enzyme having starch synthase activity or a sequence functionally equivalent thereto, is introduced into a plurality of plants and one or more of the plurality of plants are selected for introduction of a second sequence comprising a second gene encoding an enzyme having starch synthase activity or a sequence functionally equivalent thereto.

33. (new) A method according to claim 25, effective in modifying one or more properties of starch produced by the plant.

34. (new) A method according to claim 25, wherein the introduced sequences are operably linked, directly or indirectly, in an antisense orientation to a promoter.

35. (new) A method according to claim 25, wherein the introduced sequences comprise a gene encoding potato starch synthase II (SSII) enzyme and a gene encoding potato starch synthase III (SSIII) enzyme or sequences functionally equivalent thereto.

STATUS OF THE CLAIMS

Claims 1-10 and 25-29 were pending.

Claims 1-10 and 25-29 were restricted under 35 U.S.C. § 121.

Claims 1-10 and 26-28 have been cancelled subject to Applicants right to refile this non-elected subject matter in a divisional application.

Claim 25 has been amended.

Claims 30-35 have been added.

Claims 25 and 29-35 are presented for consideration.